S.F. CHRONICLE –

TUESDAY, AUGUST 11, 1992

AMERICAN BAR CONVENTION

Mock Trial of Oswald Has a Few Glitches

By Reynolds Holding
Chronicle Legal Affairs Writer

The American Bar Association's high-tech mock trial of Lee Harvey Oswald began yesterday at the Fairmont Hotel and promptly stumbled over some low-tech problems.

Slinky jazz and 15 television monitors greeted the hundreds of attorneys who squeezed into the makeshift courtroom to see whether an all-star cast of lawyers and judges could settle the issues that still surround President John F. Kennedy's assassination.

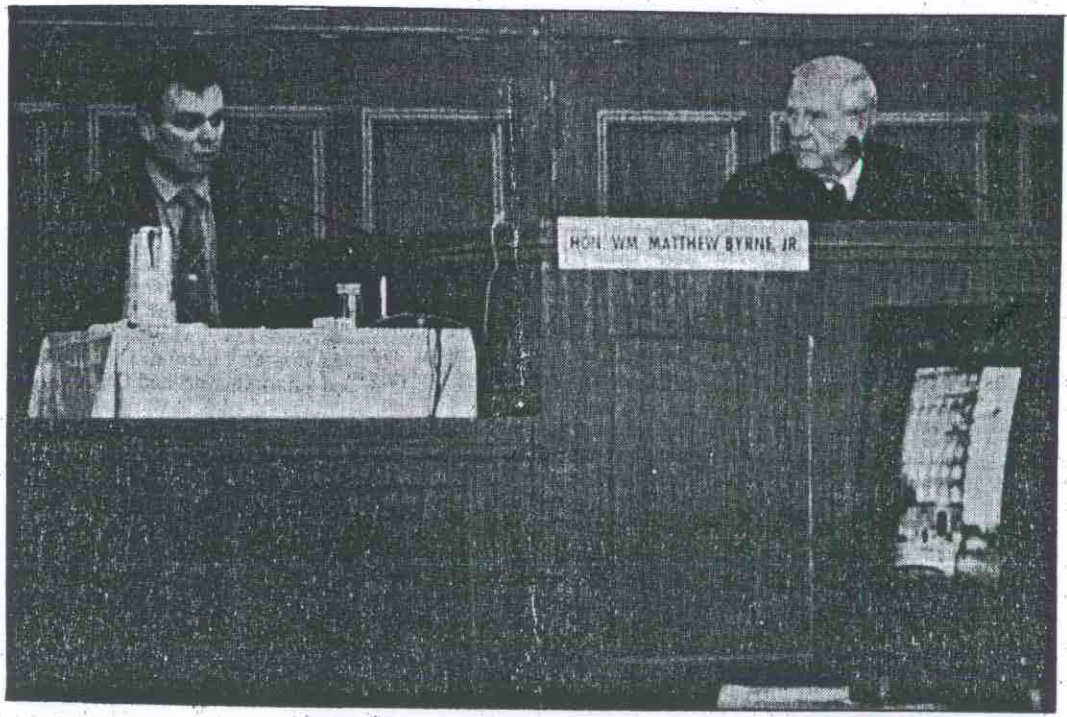
What they got, initially, was a Keystone Kops routine.

The opening speaker was about to explain the technological wonders of computer animation and evidence reconstruction when his microphone went dead. With that problem fixed, the crowd rose for the entrance of presiding Judge Carol Corrigan of the Alameda County Superior Court. Judge Corrigan stepped behind the bench, sat down and disappeared atop a collapsing chair.

"Is there a lawyer out there?" said the quick-thinking Corrigan as she peaked over the bench and saw the opportunity for a tidy lawsuit.

After a few minutes of hasty construction repairs, the two-day trial that is being broadcast nationally on the Court TV cable channel began in earnest.

The trial, which no one expects to resolve the nearly 30-year controversy that began Nov. 22, 1963, nevertheless attracted high-profile attorneys to argue the case.



BY FREDERIC LARSON/THE CHRONICLE

An actor playing the part of a witness answered a question from the Warren Commission report

Prominent Bay Area attorney Joseph Cotchett, who is prosecuting Oswald with top trial lawyers John Keker and James Brosnahan, told the jury that the alleged assassin was a "disturbed man, a fanatic about guns and possessed with the desire to set himself apart. . . . He wasn't what you would call a stable Marine. His love was weapons and Fidel Castro."

Cotchett said the case against Oswald was simple: to prove that Oswald shot the rifle found in the Texas School Book Depository, that the shot killed Kennedy and that Oswald acted deliberately and with intent to kill.

Computer-Aided Video

The prosecution will have plenty of help from state-of-the-art technology. During Cotchett's opening statement, a computer-made video took viewers flying through the Dallas streets where Kennedy was killed, pinpointing the trajectory of the assassin's bullets. An enhanced version of an amateur movie of the assassination left the crowd stunned after it showed, frame-by-frame, a bullet exploding into the president's skull.

"We will show that the only conspiracy here is the conspiracy to hype the American public with books and films and to make money," Cotchett said, arguing that Oswald acted alone to kill Kennedy.

Speaking for the defense, New York attorney Thomas Barr said he had an "extremely difficult job because (Oswald) is not here. . . . He can't tell us what he did, or point to witnesses that could help him."

Barr emphasized, however, that this "is the most investigated killing in the history of the world. . . . There should not be the slightest doubt of any kind as to what the facts are. And yet every single fact of any significance is open to serious doubt."

Defense Centers on Doubts

He said the defense, which includes his partners David Boies and Evan Chesler at the influential law firm of Cravath, Swaine & Moore, would show that no one can be sure about how many shots were fired or where they came from.

"Despite all the investigation, the government only has circumstantial evidence to string together. . . . The doubts are such that in this case (the government) cannot carry its burden," said Barr, whose use of old-fashioned posters to illustrate his points contrasted with the prosecution's high-tech devices.

Actors will portray many of the witnesses at the trial, including Oswald's wife, Marina.

The audience can keep track of the action by watching one of the TV screens that registers how convincing the judges, lawyers and jurors think the testimony is. Red, blue and green lines representing the different groups constantly squiggle across a graph on the screens in response to impulses sent from hand-held monitors.

According to the lines, jurors seemed to react about equally to the prosecution and defense during opening arguments.